

STATE OF KANSAS

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SENATE CHAMBER

COMMITTEE ASSIGNMENTS

RANKING  
MINORITY MEMBER: FEDERAL AND STATE AFFAIRS  
ETHICS AND ELECTIONS  
LOCAL GOVERNMENT  
MEMBER: COMMERCE  
JOINT COMMITTEES: ARTS AND CULTURAL  
RESOURCES  
CHILDREN'S ISSUES  
ECONOMIC DEVELOPMENT  
RULES AND REGULATIONS

February 20, 2013

Written Testimony in Opposition of SB-149

Senate Commerce Committee, Chair, Senator Julia Lynn, Vice-Chair, Senator Susan Wagle,  
Ranking Minority Member, Senator Tom Holland

Good Morning Madame Chairman and other distinguished Members of the Committee:

Madame Chair,

Given that 90% of heads of households are women, I think this bill is just another piece of legislation that targets women. Additionally, it allows for profiling of individuals and could cost the state more money than it's worth.

Senate Bill 149 stipulates that the Secretary for Children and Families may request a drug screening of an applicant or recipient at any time if reasonable suspicion exists. Any information obtained by the secretary can be used to establish reasonable suspicion. This includes demeanor, missed appointments, arrest records or other police reports, previous failed drug screening required for employment, or termination from previous employment due to drug use.

This means that if an individual currently receiving cash assistance misses a meeting, the Secretary for Children and Families could deem the behavior as "suspicious" and require the individual to submit a drug test.

At this time there is not a fiscal note outlining what this bill will cost the state to implement it, should it pass. As it is written, the bill indicates the state would pay for the cost of an initial drug screening, but an individual seeking a second opinion is required to pay the cost associated with the second screening. However, if the individual's test comes back negative, the state will reimburse the individual for the cost.

Similar legislation passed in Florida and has proven very costly. Their legislation requires individuals to pay for their own tests, but reimburses them if they come back negative. In more than 4000 drug screenings, only about 100 tested positive. Florida now has to pay reimbursement of \$25-\$45 per drug test in addition to the legal fees incurred from ongoing challenges of the constitutionality of the law.

Thank You for your time and attention on this matter.  
Senator Oletha Faust-Goudeau